

44. *And be it enacted*, That whenever a number of men, not less than forty eight, shall have associated themselves into an unformed volunteer company, with an intention of joining a regiment of infantry or riflemen authorised to receive volunteers, and whenever a number, not less than thirty men, shall have associated themselves in like manner for the purpose of joining a regiment of artillery or cavalry, authorised to receive volunteers, in which there may be a vacancy, they shall report themselves to the commanding officer of said regiment, who shall forthwith consult his next two officers in rank on the expediency of admitting said company into their regiment; and if there shall be a vacancy of a company in such regiment, and the said officers, or a majority of them, shall be willing to receive the company so applying, the commanding officer of said regiment shall thereupon inspect, or cause his adjutant to inspect, said company, and upon its appearing to the satisfaction of said commanding officer that it has the said complement of effective men, and has otherwise complied with the provisions of this act, he shall forthwith apply to the Governor and Council for commissions for proper persons to command said company to be attached to said regiment.

45. *And be it enacted*, That no uniformed volunteer, infantry, or rifle company, shall continue which has not at least forty effective men completely uniformed and equipt; and no uniformed volunteer, artillery or cavalry company, shall continue which has not at least thirty effective men completely uniformed and equipt; and if from the returns or other good authority, the commanding officer of any of the said brigades shall at any time suspect that any company in his brigade has not such complement, he shall investigate, or cause the same to be investigated, and if it shall be established to his satisfaction that the said company has not the requisite number of men, he shall forthwith report the same to the Governor and Council, who shall thereupon revoke the commissions of the officers of said company; and the commanding officer of the regiment to which such company was attached, shall, within ten days after such revocation, transmit a list of the names of the members of said company to each of the commanding officers of the regimental districts within the division, who shall forthwith cause the same, or a copy thereof to be delivered to their respective officers commanding company districts, with an order to enrol such as reside within their respective districts; and if any officer shall neglect or refuse to comply with any of the provisions of this section, as required of him, he shall be fined a sum not exceeding fifty dollars, in the discretion of such court martial as the case may require; and no uniformed volunteer company of cavalry shall consist of more than sixty men; no uniformed volunteer company of artillery shall consist of more than ninety men; and no uniformed volunteer company of infantry or riflemen shall consist of more than one hundred men, exclusive of the commissioned officers of each; and if any commanding officer of such company shall admit a greater number of men than are authorised by this section, he shall be fined a sum not exceeding twenty dollars in the discretion of such court martial as the case may require.

46. *And be it enacted*, That any officer holding a commission and not uniformed who shall not within three months after the passage of this act, and any officer hereafter appointed who shall not within twenty days after the acceptance of such appointment, arm, accoutre and provide himself with the uniform established agreeably to the pro-

Dec.Ses. 1823

Volunteer companies reported & officers commissioned.

Number of members required to form a volunteer company.

Commissions revoked in case of failure.

Proceedings.

Members limited.

Penalty.

Officers to uniform and equit themselves.